

1 call them, before that evening?

2 A No, not before that evening.

3 Q So why didn't you go over? You didn't
4 want to?

5 A Afraid.

6 Q For what reason were you afraid?

7 A Flora Prather.

8 Q What about Flora Prather made you
9 afraid?

10 A She's crazy. I mean, with a gun she's
11 crazy.

12 Q Have you ever had any criminal charges
13 filed against you because of things you have done to
14 Flora Prather?

15 A Because of what?

16 Q Anything you've done to Flora Prather.

17 A No.

18 Q So you didn't go next door?

19 A Did not.

20 Q You called the sheriff?

21 A Called the sheriff to enforce the law
22 and they didn't do it.

23 Q What do you believe -- at 12:20 a.m.
24 what did you tell the sheriff's department?

1 A I didn't tell the sheriff's department
2 anything. I called the dispatcher's office at the
3 communication center.

4 Q Okay. What did you tell them?

5 A I told them that the dogs were barking
6 and it was in violation of 2917.11 of the revised
7 code.

8 Q One second. When you're going to throw
9 in numbers, I got to ask you what you mean. What do
10 you believe 2917.11 is?

11 A The Ohio Revised Code on nuisances.

12 Q And what do you believe?

13 A Excessive noise.

14 Q Okay.

15 A And Chapter 3767.13.

16 Q Of the Ohio Revised Code?

17 A Revised code.

18 Q All right. When you called, this isn't
19 the first time you called this dispatch center, right,
20 the call center?

21 A All calls go to the dispatch center.

22 Q So it's not the first --

23 A Communication center.

24 Q This evening would not have been the

1 first time you called there?

2 A No.

3 Q You've called there numerous times;
4 correct?

5 A Yes.

6 Q Did you always quote when you would
7 call there different sections of the revised code?

8 A Yes, because the police didn't know
9 what it was, so I had to tell them.

10 Q So you called and said there were these
11 violations going on?

12 A Yes.

13 Q And what did you ask to be done?

14 A Send an officer down here and put a
15 stop to it.

16 Q Now, you said these people only lived
17 there for a couple days?

18 A Yes.

19 Q Had there been barking dogs at this
20 same address before?

21 A Yes.

22 Q Before that day?

23 A Yes.

24 Q Had you called for barking dogs at that

1 address?

2 A Yes.

3 Q But different people?

4 A Correct. Because they moved in and
5 out. See, you got to understand one month's rent and
6 a security deposit you can move in. No problem.

7 Q What happened then?

8 A Nothing happened. They wouldn't
9 enforce the law.

10 Q Do you know if the sheriff drove by?

11 A They claimed that they drove by, but,
12 you see, again, that claim of driving by doesn't do
13 any good because my house is 90 feet from the road. I
14 don't know which direction he was going, so it could
15 possibly be 18 feet more than that if he was going
16 northbound. The back of the house is another 28 feet
17 back there, and like Deputy Snyder said, the dog was
18 barking in your backyard. It was midnight, after
19 midnight, how in the world would he know that?

20 Q Let's try to keep this to my questions
21 and it will go maybe a little more smoothly. You
22 called at 12:20 a.m.?

23 A That's correct.

24 Q Do you know whether an officer came by

1 your residence?

2 A No idea. No, I do not.

3 Q You're not saying they didn't. You
4 don't know?

5 A I don't know.

6 Q When did you next contact the sheriff's
7 department that evening?

8 A About 1:25 a.m.

9 Q So roughly an hour later?

10 A That's correct.

11 Q Same call center?

12 A Correct.

13 Q And what did you tell them at that
14 point?

15 A Same quotation on the Ohio Revised Code
16 2917.11 and 3767.13 of the revised code.

17 Q All right. And what did they tell you
18 then?

19 A Nothing. They didn't tell me anything.

20 Q All right. So you asked that another
21 car be sent out?

22 A Oh, yes, uh-huh.

23 Q When you made these calls, were you
24 polite to the call center people?

1 A I figured I was, yes, sir.

2 Q Did you swear at them?

3 A No, never.

4 Q Not during those two calls at least?

5 A That's right.

6 Q Do you know if a sheriff's deputy or
7 anyone else came by again?

8 A No idea.

9 Q What happened next? Between 12:20 and
10 1:25 did go back to sleep?

11 A Dozing.

12 Q Were the same two dogs the ones
13 barking, could you tell?

14 A Yes. Being two different breeds of
15 dogs, there was a difference in sound.

16 Q I meant those two dogs as opposed to
17 dogs at other places?

18 A Definitely.

19 Q What happened then?

20 A 4:22 a.m. --

21 Q Roughly three hours later?

22 A Yes. I called the third time and
23 that's when the dispatcher, Angela Snyder, that's the
24 deputy's wife, said that he was down there and the

1 only dog barking was in my backyard. I said something
2 to the effect of, what, I said, I don't even own a
3 Goddamn dog.

4 Q Why were you swearing at Angela Snyder?

5 A Because she got under my hide. She's
6 saying that he reported back to her. He's supposed to
7 report to the sheriff's office. You heard the tape.

8 Q Do you know that he did not report to
9 the sheriff's office what he found?

10 A No, I don't know if he did go report to
11 the sheriff's office, but he reported back to his
12 wife.

13 Q Well, he reported back to a dispatcher;
14 right?

15 A He reported to his wife who was a
16 dispatcher.

17 Q Correct. And that was in response to
18 another call from you; correct?

19 A That's correct.

20 Q So according to Angela Snyder, Deputy
21 Snyder had come by your house and investigated?

22 A Right.

23 Q And you don't have any information to
24 lead you to believe otherwise; correct?

1 A Correct.

2 Q So what happened then?

3 A She said that the sheriff told her they
4 were not supposed to respond to barking dogs. Just
5 turn it over -- take the information down and turn it
6 over to the dog warden the next day.

7 Q Okay.

8 A Well, it doesn't do any good either
9 because the dog warden can't enforce it.

10 Q Why not?

11 A Because he can't enforce chapter 3767.

12 Q Says who?

13 A Says 955.12 of the revised code.

14 Q Which says what?

15 A Which says he's supposed to make an
16 inventory of every dog in the county, the dog warden,
17 every dog in the county, be sure it's licensed and so
18 forth, and they didn't do it.

19 Q And you know they didn't do it for what
20 reason? How do you know that, that hadn't been done?

21 A Because I couldn't go to the dog pound
22 and/or animal shelter, if you will, I couldn't go
23 there and get any information. I had to go to the
24 auditor's office to find out if dogs were licensed.

1 Q Where the records were kept?

2 A That's correct. No, no, no. No,
3 wrong, wrong. The record was supposed to be kept by
4 the dog warden.

5 Q All right. The record -- you got
6 records on licensed dogs from the auditor's office of
7 Brown County?

8 A Did I -- I didn't catch everything.

9 Q That's okay. You got records on
10 licensed animals from the Brown County auditor's
11 office?

12 A Yes, I did, uh-huh.

13 Q When did you get that information?

14 A On various occasions.

15 Q Over the years?

16 A Yes, that's correct.

17 Q So let's talk now we're back to October
18 11th of 2000. You called again at 4:22 a.m.?

19 A Correct.

20 Q What happened then?

21 A We must backtrack to the first call at
22 12:20 a.m. wherein I told Luther, that would be Shawn
23 Luther who was the dispatcher, he asked me for my
24 phone number, which I gladly gave him, and I said, you

1 don't have them call me down here, you have them come
2 down here. Meaning the sheriff's department.

3 Q You believe you have the authority to
4 tell the sheriff or sheriff deputy where to go?

5 A They're the dispatcher. They're
6 supposed to get the information to the sheriff's
7 department.

8 Q I understand. But do you believe you
9 have the authority to order someone who is either a
10 deputy sheriff or sheriff where to go?

11 A I didn't want him calling me for any
12 reason. I wanted him to enforce the law.

13 Q Why didn't you want him calling you?

14 A And be disturbed again?

15 Q Sounds like you were already up at
16 these different times.

17 A Obviously I was up.

18 Q Why didn't you want him calling you?

19 A He had no reason to call me. The
20 problem was at 7021.

21 Q You said you wanted him to come down
22 and see you. Would that have disturbed you again as
23 well?

24 A What do you mean?

1 Q That's what you just said. You didn't
2 want them to call you; you wanted them to come down
3 there and see you.

4 A That's right.

5 Q So you would have been disturbed again
6 by that.

7 A But I'm the complainant and the
8 complaint was at 7021.

9 Q That's not my question. You asked the
10 sheriff's deputy to come down and see you; correct?

11 A Yes, I did. Third call.

12 Q Now, earlier you just said that you
13 didn't want him calling you because you didn't want to
14 be disturbed again.

15 A That's right.

16 Q How is it different if he calls you and
17 disturbing you or comes to your house and disturbs
18 you?

19 A Because I invited him to the house.

20 Q What's the difference -- as far as
21 disturbing you goes, you're being disturbed both ways;
22 correct?

23 A I am being disturbed because he won't
24 enforce the law.

1 Q I don't think you're answering my
2 question. If he calls you, you have to respond,
3 correct, there's a ringing phone?

4 A I did hear the phone and I don't know
5 how I heard the phone because I'm hard of hearing.

6 Q And if he came to your house, he would
7 have to knock on your door or ring your doorbell?

8 A That's right.

9 Q Let's talk about 12:20 still. Is there
10 any other detail of that conversation you can recall
11 so we don't have to go back to it again?

12 A Other than the fact I said don't have
13 him call down here, have him come down here.

14 Q All right.

15 A No, I don't recall anything else. It's
16 all on the tape. We'll play it.

17 Q The 1:25 a.m. telephone call, is there
18 anything else you can recall about that phone call?

19 A I have no idea if he showed up or not.

20 Q Do you recall anything else from the
21 phone call itself that we haven't talked about?

22 A No, I can't think of anything just
23 offhand.

24 Q Now we're at, I believe, the 4:22 a.m.

1 phone call; correct?

2 A What about it?

3 Q Is this the next phone call?

4 A That would be the third one, that's
5 true.

6 Q All right. You called that time and
7 you spoke to Angela Snyder?

8 A That's right.

9 Q And I think you told us the beginning
10 of that conversation already.

11 A Right.

12 Q What happened then?

13 A She said the sheriff said not to
14 respond, they won't respond to dog calls because that
15 was to be turned over to the dog warden. The dog
16 warden doesn't work at night.

17 Q What happened then?

18 A They just don't enforce the law.

19 Q What happened that night, what happened
20 next?

21 A I heard an engine pull in the driveway,
22 big engine, so I knew who it was.

23 Q Who was it?

24 A The sheriff.

1 Q Have you told us all of the
2 conversation as you recall it during the 4:22 a.m.
3 phone call?

4 A I told her I didn't own a Goddamn dog
5 because she said the only dog barking was in your
6 backyard, and I didn't even own a damn dog.

7 Q Did you talk to Deputy Snyder during
8 that phone call?

9 A No. He called me afterwards.

10 Q Is this after you heard the engine or
11 before?

12 A Before.

13 Q Let's talk about that call.

14 A All right.

15 Q You got a call from Deputy Snyder?

16 A That's right.

17 Q How did you answer the phone?

18 A What the hell can you want?

19 Q That's how you answered the phone?

20 A That's right.

21 Q Do you have caller I.D. at your house?

22 A No.

23 Q What was said then?

24 A He said, this is Deputy Schneider, I

1 can hear Schneider, it's Snyder, s-n-y-d-e-r, from the
2 sheriff's department. I said, what the hell is wrong
3 with you? Isn't nothing wrong with me. What's wrong
4 with you?

5 Q We got to slow down a little bit. Why
6 did you ask him what was wrong with him?

7 A Why he wouldn't go next door. He never
8 did go there.

9 Q You don't know that. You already told
10 me you're not sure.

11 A I can't get a police report that he
12 went there.

13 Q Sir, you told me you don't know if the
14 police went by that residence next door or not on the
15 evening of October 11, 2000; correct?

16 A But going by doesn't do the job.

17 Q That's not -- fine. You don't know if
18 they went by there or not?

19 A I have no idea if they went by there.

20 Q So you just said he never went by there
21 but you don't really know?

22 A I don't know that.

23 Q Let's talk about things you know
24 instead of things you're guessing about. That's what

1 I need to know is what personal memory you have.

2 You're on the telephone. What happened
3 then? What was said next?

4 A I told him to get his ass down there
5 and enforce the law or something to that effect.

6 Q Do you make a habit of swearing at la
7 enforcement officers?

8 A When I am upset, you better betcha.

9 Q Okay. We'll talk about 1998 another
10 time. But so what happened then?

11 A I hung up on him.

12 Q All right.

13 A And then, of course, he tells his wife,
14 he says, call that mother fucker back. Call that cock
15 sucker back, which is on the tape and you heard it.
16 And he called me a second time. So I tongue lashed
17 him and hung up again.

18 Q What do you mean tongue lash?

19 A I called him a no good son of a bitch
20 and told him to get his ass down there and enforce the
21 law, or something to that effect.

22 Q Okay. What happened next?

23 A I heard that big engine pull in the
24 driveway and I knew what it was, that it was the

1 sheriff, and I walked to the door and there happened
2 to be two of them.

3 Q Do you know who they were?

4 A It would be Larry Meyer and Chris
5 Snyder.

6 Q Now, had you ever met either of those
7 deputies before that day?

8 A I'd never met Snyder before, no.

9 Q How Larry Meyer?

10 A I knew Larry Meyer just to talk to
11 because he had been down to my garage sitting arou
12 loafing.

13 Q Why was he at your garage loafing?

14 A Because he wasn't doing his job.

15 Q Okay. When was he at your garage?

16 A I don't remember that date. It was up
17 in the pretty time of year. All the windows were
18 open. He came in the garage about the barking dogs
19 down there at the welfare bum down below me and I
20 said, why don't you go down there and arrest him for
21 that? I said, 2917.11 says you can. He said, let me
22 look that up. I had the criminal law handbook laying
23 there, which he looked it up and he said, yeah, I
24 guess I can do that. He never did.

1 Q So you met Larry Meyer how long before
2 October 11th of 2000?

3 A Oh, gosh, I don't know what year that
4 was. It was before Dwayne Wenninger became sheriff.
5 He became sheriff in 2000. So it was sometime before
6 that.

7 Q When Larry Meyer came to your garage,
8 he was doing so because some calls you had made?

9 A Yes.

10 Q You said he was loafing.

11 A Well, that's what he wound up doing.
12 He had been down there about the dogs. Then he came
13 back up there to talk to me. This gives him an
14 opportunity to goof off the rest of the evening.

15 Q So they came to your door. Did they
16 knock?

17 A Oh, yes, they knocked at the door, and
18 I invited them in.

19 Q What happened then?

20 A I told them that they weren't enforcing
21 the law under 2917.11 and Chapter 3767 of the revised
22 code, and they didn't like me to tell them that. And
23 I said, if you're not going to do anything about it,
24 get the fuck out of my house.

1 Q Slow down a little bit. She's trying
2 to take down everything you say. You're talking
3 really fast.

4 A I'm sorry.

5 Q So they told you what? You told them
6 to enforce the law as you understood it, and what did
7 they say?

8 A He placed me under arrest.

9 Q There was no other conversation?

10 A Not to my recollection.

11 Q Sir, isn't it true that you started
12 swearing at the officers?

13 A Yes.

14 Q Why did you do that?

15 A Here again now --

16 Q No, no. Stick with my questions. Why
17 did you do that?

18 A Because they weren't going to do
19 anything, and I could sense it.

20 Q You could -- how could you sense it?

21 A That they were just do-less, because
22 they are do-less people.

23 Q They are what?

24 A Do-less.

1 Q I'm sorry. You could just sense they
2 weren't going to do anything?

3 A That's correct.

4 Q So you started swearing at them?

5 A Wait a minute. When I opened the door,
6 I said, do you hear the dogs barking? I invited them
7 in. Now, they deny that the dog was ever barking,
8 dogs, I beg your pardon, that's plural.

9 Q Okay.

10 A So I told them to get the fuck out of
11 my house.

12 Q Do you recall any other conversation?

13 A They told me I was under arrest.

14 Q Did you approach the officers as you
15 were talking to them? Did you -- are you a person who
16 gestures a lot when you get upset?

17 A No. Have you seen me gesturing?

18 Q I'm asking if you generally do that
19 when you're upset?

20 A Do not.

21 Q Do you recall gesturing at the officers
22 at all?

23 A No.

24 Q How close were you when you were

1 swearing at them?

2 A Let's see, I was on the davenport and
3 they were standing in the living room. So that would
4 be what, 11, 12 feet away.

5 Q Were you -- had you raised your voice
6 or were you talking in a voice like you're talking
7 now?

8 A I was probably raising my voice because
9 they weren't doing anything.

10 Q So you were yelling at them; is that
11 fair to say?

12 A All right.

13 Q Is that fair to say?

14 A Yes, okay.

15 Q And you're swearing at them; correct?

16 A No, there's no swearing. There's
17 nothing to show that I was swearing at them.

18 Q But you were, you told us that;
19 correct?

20 A No, no. I'm not admitting I was
21 swearing at them. I'm saying that I told them to
22 enforce the law or get the fuck out of my house.

23 Q Sir, are you telling me you were not
24 swearing at the deputies when they were inside your

1 house?

2 A Show me what words --

3 Q I'm asking you if you were swearing.

4 A No, I was not swearing at them. I
5 wasn't berating them either.

6 Q You understand you are under oath;
7 correct?

8 A I do.

9 Q So you told them to get out of your
10 house and used some colorful language?

11 A Correct.

12 Q What happened then?

13 A They placed me under arrest alleging
14 persistent disorderly conduct.

15 Q What did they do when they placed you
16 under arrest? How did they arrest you? Describe
17 where you were and exactly what happened in as much
18 detail as you can.

19 A I believe I was standing at that point.
20 I had told them to get out. He placed me under
21 arrest, Snyder placed me under arrest.

22 Q How did he do that? Did he say, you're
23 under arrest?

24 A He said, you're under arrest.

1 Q Did he say anything else?

2 A For persistent disorderly conduct.

3 Q He told you that right then?

4 A That's right.

5 Q All right. What did you say?

6 A I said, I got to get dressed. He said,
7 go ahead and get dressed. I went to the dryer and
8 picked up my clothing.

9 Q Okay.

10 A But they didn't look at my caduceus.
11 Caduceus is the correct pronunciation on that.

12 Q What is that?

13 A Those are medical alerts.

14 Q Were you wearing a shirt when you first
15 invited them in?

16 A I was in my skivies when I answered the
17 door.

18 Q Is that a shirt?

19 A T-shirt and boxer shorts, that's right.

20 Q Where was your medal at that point?

21 A Hanging around my neck just like it is
22 today.

23 Q Tucked inside your T-shirt?

24 A No, hanging out. See, when you're in

1 bed, it always comes out.

2 Q Okay. So as they're talking to you and
3 telling you you are under arrest, you said you wanted
4 to go get your clothes?

5 A I had to get my clothes.

6 Q Did they allow you to do that?

7 A Let's see, Snyder said, you don't need
8 your stockings on, forget those. Just come on. I
9 said, oh, no, you don't. I said, I can't go out in
10 this cold weather like this. So finally --

11 Q You went and got your clothes?

12 A Got my clothes.

13 Q Pants and shirt?

14 A Pants, shirt, field jacket and hat and
15 walked out the door, closed the door and locked it,
16 made sure it was locked.

17 Q Did they handcuff you inside your
18 house?

19 A No.

20 Q You mentioned your metal that was
21 hanging around your neck. Did you bring it up to the
22 officers? Did you point it out to them?

23 A They were hanging right there. They're
24 investigating.

1 Q Sir, did you point out the fact that
2 you had that metal around your neck?

3 A I didn't have to.

4 Q Did you?

5 A Did not.

6 Q So did you mention to the officers
7 while they were in your home that you had medications
8 that you needed?

9 A Absolutely. They were sitting right on
10 the coffee table.

11 Q I didn't ask you where they were
12 sitting. I asked you if you told the officers, I need
13 to take my medication with me?

14 A No, I don't recall saying that I had to
15 take them with me. I don't recall that, no.

16 Q So they --

17 A They were in plain sight.

18 Q I don't care. I'm asking you, you
19 didn't bring it to their attention and they took you
20 outside?

21 A No, no. I had a fresh prescription in
22 my field jacket and I pulled it out as we were getting
23 ready to leave and I laid it on the coffee table and
24 all the other medications were sitting there.

1 Q Okay.

2 A And they picked that bag up and looked
3 at it, laid it back down and then they said I never
4 told them that I had -- I needed any medications.

5 Q And you just told me you never told
6 them that; correct?

7 A I didn't tell them that in the house
8 but they're writing that they didn't.

9 Q You didn't tell them anything about
10 your medications while they were in your house;
11 correct?

12 A I didn't have to. They were visible.

13 Q And you didn't tell them anything about
14 the medications while you were in your house; is that
15 right?

16 A These speak for everything. These two
17 medical alerts say, hey, take a look at me, I'm a sick
18 guy.

19 Q Okay. Can we stick with my questions?
20 And if you want at some other point just to talk,
21 that's fine. Let's stick with my questions.

22 Did you verbally say to either officer
23 anything about your medications on the morning of
24 October 11, 2000 in your house?

1 A I don't recall saying anything to them
2 about it, but they were investigating, therefore, they
3 should have seen it.

4 Q All right. Who picked up the bag?

5 A Snyder.

6 Q So what happened then? They walked
7 with you out to the police car?

8 A Yes.

9 Q Did they place you in handcuffs at any
10 point while you were walking out?

11 A No.

12 Q Did they place you in handcuffs before
13 he put you in the car?

14 A No.

15 Q Were you placed in the police car?

16 A Yes.

17 Q What other conversations did you have
18 with the officers while you were in the police car
19 before you left your property?

20 A I asked them if I could go back and
21 turn off the porch light because they had forgot to do
22 it.

23 Q Did they say you could?

24 A No, they would not permit it.

1 Q What happened then? Were you
2 transported to the jail?

3 A Transferred to the jail. En route I
4 told it them I had to have my medications.

5 Q Who did you tell?

6 A Snyder. My blood pressure was up, I
7 needed to go to the hospital.

8 Q You told them you needed medications or
9 you needed to go to the hospital or both?

10 A Both.

11 Q What happened then?

12 A That's on that tape.

13 Q What's on what tape?

14 A On that tape, that micro-recording of
15 Snyder's as we went to Georgetown. And he said
16 something to the effect of, we'll assess or access,
17 I'm not sure which he said, your medical condition and
18 then we will determine if you need to go to the
19 hospital. There wasn't anyone at the sheriff's office
20 with a lick of intelligence that could assess or
21 access any medical.

22 Q So how long did it take between the
23 time you were arrested and the time you arrived at the
24 jail?

1 A Oh, gosh, I'm going to say as an
2 estimate probably 15 minutes, 17 minutes. Right in
3 that area.

4 Q Do you know what time the officers had
5 arrived at your house that morning?

6 A I have no idea.

7 Q Fair to say it was after 4:22 a.m.;
8 correct?

9 A Definitely after 4:22.

10 Q Do you know if it was before 5:00?

11 A That, I can't recall. I do not
12 remember.

13 Q But within 15 minutes after them --
14 yourself and them leaving your house, you arrived at
15 the jail?

16 A That would be about right. That's
17 correct.

18 Q Were you ever placed in handcuffs at
19 any time prior to arriving at the jail?

20 A No, no. He handcuffed me after I sit
21 down in the seat there at the house.

22 Q At the house, your house or the jail?

23 A No, in his car.

24 Q Okay.

1 A When I sit down in the car, he said,
2 here, I better handcuff you, which he did.

3 Q Did he handcuff both hands together?

4 A Yes. Typical.

5 Q In front of you?

6 A Right. Because he knew about my back
7 problems.

8 Q Had you told him about your back
9 problems?

10 A I don't recall if I did or not. He
11 handcuffed me in front. That's in violation of all
12 the rotary code of ethics of the jail that everybody
13 will be handcuffed in the rear.

14 Q Would you have preferred that he --

15 A That's the policy.

16 Q Would you have preferred he handcuffed
17 you in the rear?

18 A Oh, I would have screamed like a mashed
19 cat.

20 Q So it would not have been good for you
21 to be handcuffed in the rear?

22 A Absolutely not.

23 Q So then you're transported to the jail.
24 Do you recall any other conversation you had with

1 Deputy Snyder on the ride to the jail?

2 A No, I can't. No, I can't.

3 Q You said -- do you have some kind of
4 tape recording of the ride to the jail?

5 A I received from John Hapner, who was my
6 counsel at that time, I received a tape recording,
7 this micro-tape recorder that Snyder had that was so
8 jumbled up that you couldn't make heads or tails of
9 what was being said except for one small portion, and
10 I played that for you but you were in such a hurry to
11 leave when we were there on the 18th you didn't hear
12 it all. Anyway, that's when he said something about
13 assessing or accessing your medical --

14 Q Okay.

15 A -- to see if you need to go to the
16 hospital.

17 Q So you were taken to the sheriff's
18 department?

19 A Correct.

20 Q The jail. What happened there?

21 A I was divested of all my worldly goods.

22 Q Okay.

23 A I knew I had a couple hundred dollar
24 bills in my pocket. I typically don't trust deputies

1 or the correction officers.

2 Q Why not?

3 A They are not to be trusted.

4 Q Why?

5 A Because I don't trust them. Period.

6 Q How come?

7 A Anyway --

8 Q One second. Why don't you trust them?

9 A Because they won't enforce the law, so
10 why should I trust them.

11 Q All right.

12 A I knew I had \$200 in my pocket plus
13 some other bills. So when you look at the booking
14 record, I had \$250 in my pocket and I couldn't get
15 bail, nor would they call my attorney.

16 Q Wait a minute. You hadn't been
17 arraigned yet; right?

18 A That's correct.

19 Q What does bail have to do with
20 anything?

21 A I wanted out on bail.

22 Q Before you were arraigned?

23 A Why not? Sit up there in that stinking
24 jail.

1 Q I understand you were taken to the
2 hospital that morning.

3 A That's correct.

4 Q How long after you originally arrived
5 at the jail, how long was it until you were taken to
6 the hospital?

7 A I have no idea. There's no clocks.

8 Q Was it still dark?

9 A Definitely still dark.

10 Q Can we agree it probably was before
11 7:30 a.m.?

12 A That would be reasonable.

13 Q When you were taken to -- which
14 hospital?

15 A Brown County General.

16 Q So that we kind of at least make it a
17 little clear on the record. Did anything else of any
18 significance happen at the jail before you were taken
19 to the hospital?

20 A Well, I told them I needed my morning
21 medications. I told the corrections officers that.

22 Q All right. This is while you were at
23 the jail before you were taken to the hospital; right?

24 A Uh-huh. Correct.

1 Q Now, you say in your complaint that
2 while you were at the jail, the deputies offered to
3 have a neighbor go to your house and get medication.

4 A I don't say that.

5 Q Well, let me just read something to
6 you. Page 6 of your complaint under Count 6 you say:
7 Plaintiff was permitted a phone call under ORC Section
8 2935.14. Plaintiff told these two officers he needed
9 his morning prescription medication. They then
10 offered the plaintiff a second phone call to get his
11 medications. However, both officers were willing to
12 sacrifice plaintiff's security while confined and the
13 security of his home and property by giving his keys
14 to his neighbor friend so he could pick up plaintiff's
15 medications and bring them to the jail, in violation
16 of the security plaintiff would expect from law
17 officers. Is that what happened?

18 A I have no idea what happened.

19 O Sir, is that your complaint?

20 A That sounds correct.

21 Q All right. Starting right here, go
22 ahead and read that.

23 Let's go off the record.

- 1 -

1 Discussion held off the record.

3 By Mr. Vincent:

4 Q Did you just read a portion of your
5 complaint, Page 6 under Count 6?

6 A I did.

7 Q What does that mean?

8 A It means that they would have had to
9 sacrifice the security of my home and outbuildings by
10 giving the keys to my neighbor.

12. A Not to my knowledge it never did
13. happen.

14 Q All right. So when you say in your
15 complaint that it happened, you're just saying that's
16 what could have happened; right? I'm trying to
17 understand your complaint a little bit here.

18 A It may not be as well written as it
19 should have been.

20 0 What does that mean?

21 A I could have done that a little bit
22 better because they say -- the deputies now say in
23 their November 6th and November 15th, 2002 that a
24 neighbor picked up the medications. How would a

1 neighbor know what medications to pick up?

2 Q What deputies say that? Are you
3 referring to the motion we've talked about at the
4 various status conferences, the motion for summary
5 judgment?

6 A No, the affidavit of Snyder and Meyer.

7 Q Neither officer says that.

8 A Sure they do.

9 Q No. But to your knowledge, no one ever
10 went to your home and got any medications for you;
11 correct?

12 A How could they possibly get them? I
13 have no idea.

14 Q All right. You have no idea either
15 way?

16 A I know I didn't get any.

17 Q All right.

18 A That I do know.

19 Q All right. And as far as you know, no
20 neighbor went to get your medications; right?

21 A That's correct.

22 Q When you went home on October 11th of
23 2000, were your medications still sitting where you
24 had placed them before you left?

1 A Of course they would be.

2 Q All right. Because no one moved them.

3 That's why they would be; right?

4 A Wait a minute. You are not reading
5 that correctly. Let's go back to their affidavit.

6 Q No. We're going to talk about your
7 complaint. I'm asking you very specific questions.

8 Were your medications in the same place they were when
9 you left when you got home?

10 A That's right. Because I never got any
11 at the jail.

12 Q All right. What else happened at the
13 jail? Anything while you were booked? Everything
14 else go smoothly?

15 A I don't even understand that question.
16 I'm in a stinking jail, and I do mean literally a
17 stinking jail. I'm cold, I'm hungry. I didn't get my
18 medications. My blood pressure is sky high. At that
19 time of the morning there was nobody at the sheriff's
20 office to give me my medications if the neighbor would
21 have brought them.

22 Q What time were you required -- I
23 believe this was 5 a.m. or so in the morning when you
24 arrived at the jail; correct?

1 A Upon arising.

2 Q What time do you normally get up in the
3 morning?

4 A 6:00, 7:00.

5 Q Fair to say between the hour of 8 p.m.
6 and 6:00 or 7:00 in the morning you would not normally
7 take medication because you're sleeping; right?

8 A Well --

9 Q Is that right?

10 A No. I take my medications upon
11 arising.

12 Q You normally arise at 6:00 or 7:00?

13 A 6:00 to 7:00. Usually it's 6:00.

14 Q That is when you would normally take
15 your medications?

16 A Correct.

17 Q So what time did you arrive at the
18 hospital that morning?

19 A I have no idea.

20 Q I think we already said it was before
21 7:00; correct?

22 A We would agree that would be reasonable
23 because it was still dark.

24 Q Did you receive any medications at the

1 hospital?

2 A No.

3 Q Did you ask for any?

4 A Yes.

5 Q Why didn't they give you medications?

6 A I have no idea.

7 Q What did they find at the hospital?

8 Were you examined by a physician?

9 A By a physician and a nurse.

10 Q What did they find? Was anything wrong
11 with you?

12 A No record. There is no record of me
13 being at the hospital.

14 Q Do you remember being there?

15 A Pretty sure I was.

16 Q Did they tell you anything was wrong
17 with you?

18 A Said my blood pressure was up, which I
19 already knew that. I didn't need a doctor or a nurse
20 to tell me that.

21 Q Then what happened?

22 A Then the hospital turns around and lies
23 and said, he was never at our hospital. That's the
24 one we're going to go by.

1 Q But you believe you were?

2 A I'm pretty sure I was. The thing is
3 we're talking about Medicaid fraud -- Medicare fraud
4 now.

5 Q Who's talking about Medicare fraud?

6 A I am.

7 Q Well, this case, sir, I believe is
8 about what you claim to have been some civil rights
9 that were violated. So let's -- I guess the best we
10 can stick with those allegations because this case
11 doesn't involve Medicare fraud or Medicaid fraud,
12 whatever you said.

13 A Medicare.

14 Q So you were taken to the hospital by
15 the sheriff's department; correct?

16 A Correct.

17 Q Was there an officer with you in the
18 room while you were examined?

19 A Yes. The idiot didn't have enough
20 sense to leave. There he violated my doctor-nurse
21 privilege.

22 Q Did you ask him to leave?

23 A I'm not allowed to tell him anything.

24 Q Did you ask him to leave?

1 A I did not.

2 Q Which officer --

3 A He is supposed to know to leave.

4 Q Which officer was it?

5 A Snyder.

6 Q So you are in the hospital. Were you
7 discharged?

8 A Yes.

9 Q How did you get to the hospital?

10 A Life squad from Hammersville, Ohio.

11 Q Do you know how long you were there?

12 A No, I have no idea.

13 Q Did they do any kind of treatment to
14 you? Did they give you any kind of treatment?

15 A No medications, but they did my blood
16 pressure and it was elevated.

17 Q Did they do anything else for you?

18 A No.

19 Q They discharged you then back to jail?

20 A No, they denied my being there.

21 Q Were you discharged back to the jail?

22 A Yes.

23 Q How were you taken back to the jail?

24 A Snyder's car.

1 Q Do you recall any conversations you had
2 with Deputy Snyder during either your transport to the
3 hospital or back from the hospital?

4 A To the hospital he wasn't in the
5 vehicle.

6 Q All right.

7 A Coming back, no, I don't recall talking
8 with him.

9 Q What happened next?

10 A They put me back in the cell and I
11 don't have any idea what time it was. I was taken
12 across the street to the courthouse and arraigned.

13 Q What happened during the arraignment?

14 A I pleaded not guilty, released on OR
15 bond.

16 Q Do you recall what time you were
17 released on your own recognizance?

18 A According to the booking slip, around
19 10:40 or something like that, a.m., that day.

20 Q That same morning, October 11?

21 A That's correct.

22 Q October 11, 2000?

23 A Correct.

24 Q Just so that we know exactly what we're

1 talking about here, your arrest occurred sometime
2 between 4:30 and 5 a.m. the morning of October 11,
3 2000?

4 A Yes.

5 Q And you remember you were released
6 after arraignment at approximately 10:40 a.m. on
7 October 11, 2000; correct?

8 A Until the trial came up, that's right.

9 Q So roughly six hours, give or take?

10 A Give or take.

11 Q That's how long you believe you were in
12 custody of the jail and the court; correct?

13 A No, no. Just for the arraignment.
14 That's not inclusive of my trial time.

15 Q I understand. Now, do you recall a
16 hearing we had with Judge Weber here at the courthouse
17 in November of 2005, do you recall that?

18 A Do you mean November 18?

19 Q Yes. Actually I think it was November
20 3rd, wasn't it?

21 A We had one on the 3rd and the 18th,
22 that's right. The most recent was the 18th.

23 Q Right. We had one January 18th of
24 2006.

1 A Right.

2 Q Do you remember the November 3, 2005
3 hearing with Judge Weber?

4 A Not in particular. Go ahead and
5 refresh.

6 Q I will try. Do you recall being asked
7 questions about damages that you had?

8 A Uh-huh.

9 Q Do you recall those questions?

10 A Yeah, vaguely.

11 Q Do you recall -- did you give honest
12 and accurate answers to those questions about your
13 damages during that hearing?

14 A I would have definitely done that,
15 sure.

16 Q Just so I don't have to go through
17 everything with you again, is it fair to say that the
18 answers that you gave to Judge Weber during that
19 hearing are accurate and complete to the best of your
20 knowledge?

21 A Yes.

22 Q I can rely on the answers you gave as
23 being accurate?

24 A Fair, that's fair and correct.

1 Q Feel free to stand up. I know you have
2 a bad back. So any time. Do you need to take a
3 five-minute break? Would that help you?

4 A Go ahead.

5 Q You tell us if you need one.

6 A Thank you.

7 - - -

8 Recess taken.

9 - - -

10 By Mr. Vincent:

11 Q If you have -- if you don't understand
12 my questions, I think I already told you let me know
13 that.

14 A All right.

15 Q I want you to tell me what you believe
16 your basis is for any claim that you have made that
17 any of the remaining defendants in this case violated
18 your constitutional rights. Let's talk about each one
19 individually. Okay?

20 A Snyder denied me --

21 Q Let's talk about Deputy Snyder first.

22 A Snyder denied me my medications in
23 violation of U.S. Constitution Amendment 8, cruel and
24 unusual punishment.

1 Q You don't have an eighth amendment
2 claim in this case. You're aware of that; correct?

3 A No, I --

4 Q Do you understand that Judge Weber --
5 fourth and first amendment. Do you recall that?

6 A No, fourth and fifth, as I recall.

7 - - -

8 Discussion held off the record.

9 - - -

10 By Mr. Vincent:

11 Q What do you believe Deputy Snyder did
12 that violated your first amendment rights, just Deputy
13 Snyder?

14 A Freedom of speech.

15 Q Okay. What did he do to violate your
16 freedom of speech?

17 A Arrested me.

18 Q Anything else?

19 A Illegally had me charged by another
20 deputy who wasn't present.

21 Q That's your first amendment right?

22 A Please?

23 Q We're talking about your first and
24 fourth amendment rights; correct?

1 A Right.

2 Q You said that you believe Deputy Snyder
3 violated your first amendment rights by arresting you.

4 A Uh-huh.

5 Q Right?

6 A Correct.

7 Q What else did he, did Deputy Snyder do
8 to violate your first amendment rights in your opinion
9 or in your belief?

10 A He illegally had me arrested on a
11 charge under Revised Code 2917.11(A)(2) wherein the
12 constitutionality of the statute is questionable.

13 Q What are you reading from?

14 A Hoffman versus Hoffman.

15 Q I don't -- I want you to talk to me
16 from your own knowledge. If you want to supplement
17 your answer with anything in writing, we're going to
18 need to go through that. What are you holding in your
19 hand there?

20 A Hoffman versus Hoffman.

21 Q Okay. May I see the document, please?

22 A (Providing document.)

23 Q This appears to be a case called State
24 versus Hoffman, and you were reading from this. We

1 are talking about Deputy Snyder and your first
2 amendment rights; correct? What do you believe your
3 first amendment rights are?

4 A Freedom of speech.

5 Q Anything else?

6 A Freedom of assembly.

7 Q Anything else?

8 A I can't recall offhand. I don't have
9 it with me.

10 Q But when you are talking about it in
11 this case, you are talking about your freedom of
12 speech; is that accurate?

13 A That's correct.

14 Q And we're just trying to talk about
15 what you believe each officer or deputy or person did
16 to violate your first amendment rights. Okay?

17 A Yes.

18 Q Deputy Snyder you believe violated your
19 first amendment rights when he arrested you?

20 A That's correct.

21 Q Did he do anything else to violate your
22 first amendment rights?

23 A I don't recall offhand.

24 Q How about Deputy Meyer, what did he do

1 to violate your first amendment rights?

2 A These fellows, they didn't read me my
3 rights under Miranda versus Arizona. That's right.

4 Q That's not your first amendment rights,
5 though, is it?

6 A That's correct.

7 Q We're talking about your first
8 amendment rights.

9 A I don't recall anything further.

10 Q What did Deputy Meyer do to violate
11 your first amendment rights?

12 A Participated in the arrest and in
13 violation of the first amendment.

14 Q How did he participate in your arrest?

15 A He didn't stop it, so therefore he was
16 a party of the first part to it.

17 Q Did he arrest you, Deputy Meyer?

18 A No.

19 Q Did he at any point take custody of you
20 at your home?

21 A No.

22 Q Other than being at the residence, did
23 he actively participate in your arrest?

24 A Certainly he did.

1 Q How?

2 A He did not tell Snyder back off, leave
3 him alone.

4 Q Okay.

5 A So therefore he condoned the arrest.

6 Q You believe he condoned the arrest?

7 A Absolutely.

8 Q Is that the only way he violated your
9 first amendment rights?

10 A He was just as angry as Snyder was when
11 I told him to get the fuck out of my house.

12 Q By him being angry, you're not saying
13 he violated your first amendment rights; correct?

14 A But then he -- they both denied the
15 medications.

16 Q We will talk about that later. I am
17 talking about your first amendment rights. You've
18 made claims in this case. Let's talk about them.

19 Do you have any other way that you are
20 aware of that Deputy Meyer violated your first
21 amendment rights?

22 A Not that I can recall offhand.

23 Q This is your opportunity.

24 A I say not that I can recall because I

1 didn't bring it with me.

2 Q What did you need to bring with you?

3 A My constitutional amendments, I forgot
4 to bring those with me.

5 Q Who is Michelle Hudepohl?

6 A She's a deputy sheriff.

7 Q Did Deputy Hudepohl do anything to
8 violate your first amendment rights?

9 A Not my first amendment.

10 Q How about Clark Gray, who is Clark
11 Gray?

12 A Clark Gray is a deputy sheriff.

13 Q Was Deputy Gray working at the jail on
14 October 11, 2000?

15 A No.

16 Q Was he involved in your arrest on
17 October 11, 2000?

18 A No. Clark Gray is the one that filed
19 the charges against me, which he is not allowed to do.

20 Q Did deputy Gray violate your first
21 amendment rights?

22 A Not per se.

23 Q What fourth amendment rights of yours
24 do you believe were violated?

1 A Michelle Hudepohl deposed the probable
2 cause affidavit by Snyder.

3 Q Wait a minute. What do you mean she
4 deposed?

5 A If you read the probable cause
6 affidavit, she signed, that she deposed it. She's not
7 allowed.

8 Q Is she a notary public?

9 A Is she a what?

10 Q Notary public.

11 A I have no idea if she is a notary
12 public.

13 Q How do you believe Deputy Hudepohl
14 violated your fourth amendment rights?

15 A That would come under 2319.

16 Q We are not talking about the Ohio
17 Revised Code. You're claiming that she violated your
18 fourth amendment rights; correct?

19 A I don't know. I got to get -- do you
20 have a copy of --

21 Q I don't. This is your claim and your
22 complaint.

23 A Without my amendments, I can't tell
24 you. I just cannot recall.

1 Q What do you think, tell me everything
2 you think Deputy Hudepohl did wrong.

3 A She deposed that probable cause
4 affidavit.

5 Q Anything else?

6 A That's enough.

7 Q Anything else?

8 A The probable cause affidavit is
9 invalid.

10 Q Did Michelle Hudepohl to your knowledge
11 do anything else that violated your constitutional
12 rights?

13 A Other than deposing that probable cause
14 affidavit, nothing that I can think of.

15 Q How about Deputy Gray, did Deputy Gray
16 do anything else to violate your constitutional
17 rights?

18 A Not that I can recall, but he is the
19 one that filed the charge, which he wasn't allowed to
20 do because he wasn't there.

21 Q What do you mean he filed a charge?

22 A He filed the complaint against me.

23 Q What do you mean by he filed the
24 complaint? Did he stamp it, did he sign it?

1 A He signed his complaint against me
2 under 2917.11(A)(2), a minor misdemeanor.

3 Q So is that -- is there anything else
4 you believe Deputy Gray did that violated your
5 constitutional rights?

6 A That said it all.

7 Q Nothing else then?

8 A Nothing else that I can think of.

9 Q Did Deputy Snyder do anything else to
10 violate your constitutional rights other than arrest
11 you?

12 A False arrest and false incarceration.

13 Q We are talking about constitutional
14 rights.

15 A That's right.

16 Q You were arrested; correct?

17 A Correct.

18 Q And you were arraigned; is that
19 correct?

20 A No, I was incarcerated, then arraigned.

21 Q What did Deputy Snyder do that violated
22 your fourth amendment rights?

23 A I can't recall what the fourth
24 amendment is.

1 Q What else do you think he did wrong?

2 A I can't recall without my amendment. I
3 don't have it here handy.

4 Q Sir, this is your opportunity to tell
5 me what claims you believe you have against these
6 people.

7 A I would have to have a copy of the
8 fourth amendment in order to speak to you correctly.

9 Q I just want you to tell me to the best
10 of your knowledge.

11 A I don't remember.

12 Q You don't remember?

13 A I have to have the amendment first.

14 Q You don't remember what Deputy Snyder
15 did to violate your fourth amendment rights?

16 A I don't recall.

17 Q How about Deputy Meyer?

18 A I can't recall without the amendment.

19 Q Let's ask it another way. What else do
20 you think Deputy Snyder did wrong other than what you
21 have already told me, him arresting you?

22 A Denied me my medications.

23 Q Anything else?

24 A That should surely be enough.

1 Q How about Deputy Meyer, what else did
2 he do wrong besides being present at the time you were
3 arrested?

4 A He too denied me my medications.

5 Q How did he do that?

6 A He could have picked them up off the
7 coffee table and took them.

8 Q Other than the fact that there were
9 medications in your home that he didn't pick up and
10 take, is there anything else that Deputy Meyer did
11 that you think was wrong?

12 A Yes, he signed that affidavit that
13 would have taken those medications without a warrant.

14 Q On October 11, 2000 is there anything
15 else that Deputy Meyer did wrong?

16 A Not that I can think of without my
17 constitutional amendments.

18 Q Maybe I don't understand. What do you
19 need to read a constitutional amendment for to tell me
20 what --

21 A To refresh my memory.

22 Q But I'm asking about October 11, 2000.
23 I'm not asking you to quote me anything from the
24 constitution. I'm asking you what you think they did

1 wrong that day and that early morning. You don't need
2 to read from a book to tell me that, do you?

3 A I certainly do because --

4 Q Why?

5 A -- because I want to get it straight.

6 Q I just want you to tell me
7 everything --

8 A I already told you everything. I've
9 already told you everything. And without my
10 amendments to the U.S. Constitution, the Ohio
11 Constitution, I cannot proceed.

12 Q Why not?

13 A Because I need them to refresh my
14 memory.

15 Q You need them to refresh your memory as
16 to what they say or as to what happened that day?

17 A What happened that day.

18 Q How is a constitutional amendment going
19 to refresh your memory as to what happened October 11,
20 2000?

21 A What they did.

22 Q You can't recall what they did without
23 reading it?

24 A That's correct.

1 Q And you would read it from a
2 constitutional amendment, that's where you would --

3 A That would be my refreshment.

4 Remember, now, I'm the guy that had three strokes and
5 a heart attack.

6 Q I don't know what that has to do
7 with --

8 A You don't?

9 Q I'm sorry. All I need to know, sir, is
10 to your knowledge is there anything else Deputy Meyer
11 or Deputy Snyder did wrong on October 11, 2000?

12 A Without my amendments handy, I cannot
13 tell you. I don't remember.

14 Q Do you want to take a break?

15 A No. I want to get ready to go home.

16 Q We've got a long time until we're done.

17 A Well, I am getting very weary of this.

18 Q It's fair to say you can't tell me
19 right now anything that Deputy Snyder or Deputy Meyer
20 did wrong on October 11, 2000?

21 A I cannot recall.

22 Q And you have told me as far as you know
23 everything that you believe Deputy Hudepohl and Gray
24 did wrong?

1 A There's probably other things, but I
2 don't recall right offhand.

3 Q Can you recall being arrested for
4 grabbing ahold of someone while they were taking some
5 pictures of your property?

6 A No.

7 Q Do you recall any kind of arrest
8 relating to someone taking pictures of your property?

9 A Definitely not. Now, you remember you
10 used the word arrested. I wasn't arrested.

11 Q What happened?

12 A I was taking pictures of those white
13 niggers that had all the pit bull dogs.

14 Q What does that mean, that derogatory
15 term, what does that mean?

16 A They're like a Negro except they're
17 white.

18 Q What do you mean by that?

19 A White niggers.

20 Q What does mean? I'm sorry, I don't
21 understand.

22 A Whatever it means. I'm not even going
23 to lower myself to that level.

24 Q Wait a second.

1 A I was trying to take pictures of these
2 vicious dangerous dogs that the dog warden wasn't
3 doing anything about, nor would the commissioners do
4 anything about it.

5 Q When was that?

6 A I don't remember that exact date. This
7 was at Pamela Daugherty's, I remember that.

8 Q Was it in the nineties?

9 A No, it seems to me -- it might have
10 been in the nineties. I can't remember. But she came
11 around and grabbed that camera from me and assaulted
12 me. Now, by the way, this is the same little girl
13 that assaulted her brother and then the judge says,
14 gosh, I don't believe you.

15 Q Who did he say that to?

16 A The judge said that to me.

17 Q You used a term that I want to make
18 clear on the record what it means because I've never
19 heard it.

20 A You've never of white nigger before?

21 Q I've never heard that term before.

22 A I'll be darn.

23 Q What does that mean?

24 A I don't know exactly. It has reference

1 to a derogatory manner.

2 Q Okay. How is that derogatory?

3 A Toward Pam Daugherty?

4 Q Yes. What are you trying to say when
5 you use that term?

6 A I was trying to get pictures of those
7 damn vicious dogs that were staked out back of that
8 house that the commissioners nor the dog warden would
9 do anything about.

10 Q What do you mean when you use that
11 descriptive term about Pam Daugherty?

12 A Just off-the-cuff thing.

13 Q What does it mean?

14 A I don't remember what it means.

15 Q Is it a derogatory term? Is it a term
16 you use often?

17 A No. See, you got to remember now I
18 served 22-and-a-half years in the military with lot of
19 fine black men and a lot of fine white men and a lot
20 of white niggers and a lot of black niggers --

21 Q Okay.

22 A -- in the most derogatory sense that
23 you can think of. Whatever that may be. Use your own
24 judgment.

1 Q You're the one saying it, so I don't
2 know what it means.

3 A I don't remember either.

4 Q Okay. Were you arrested or charged
5 with anything as a result of that altercation?

6 A I was not arrested.

7 Q Were you charged with anything?

8 A No, I was not charged with anything.

9 Q Have you ever been convicted of a
10 misdemeanor?

11 A Yes.

12 Q What?

13 A Deputy -- the one, the other lawsuit.

14 Q The March of 1998 incident?

15 A Yes, 3-11-98, buddy Moore, that's
16 correct.

17 Q You were convicted of assaulting a
18 police officer?

19 A No.

20 Q What were you convicted of?

21 A Misdemeanor, just a plain misdemeanor.
22 Not of a police officer or anything like that.

23 Q Were you convicted of assault?

24 A Assault and menacing. That's what it

1 was.

2 Q And who was the assault against?

3 A Allegedly it was against Buddy Moore.

4 Q What was Buddy Moore?

5 A A deputy sheriff.

6 Q You were convicted of that in 1998?

7 A That's right.

8 Q What other convictions do you have?

9 A None. None that I can recall.

10 Q You would recall them, wouldn't you, if
11 you were convicted?

12 A I would hope so. I am getting very
13 weary of this whole line of questioning and so forth.

14 Q Have you ever been convicted of a
15 felony?

16 A No.

17 Q Other than this civil lawsuit that you
18 filed in this case and the one -- the other case that
19 you have, have you ever filed any other lawsuits?

20 A No. Wait a minute. I did too. I just
21 filed a small claims, just filed a small claims.

22 Q You just filed a small claims case?

23 A Yes.

24 Q When?

1 A It was in 2006 here. I don't recall
2 the exact date. The court ruled against me, so that's
3 gone.

4 Q Who did you file it against?

5 A A fellow that was supposed to do a
6 quotation on my driveway for the gas truck that
7 damaged my driveway by the reckless operation of the
8 driver.

9 Q What did they do to your driveway?

10 A Broke the edges off.

11 Q When they were filling your tank?

12 A Yeah, driving in to fill the tank,
13 that's correct.

14 Q Any other lawsuits you've ever filed or
15 had filed on your behalf?

16 A None that I can think of.

17 Q Have you ever tried to sell your house?

18 A No. Couldn't get out of it what I got
19 in it.

20 Q You don't think you could?

21 A Please?

22 Q You don't think you could get out of it
23 what you got in it?

24 A I don't think so.

1 Q Do you recall a conviction in Brown
2 County where you were convicted for disorderly conduct
3 and served 30 days in jail?

4 A Where I served what?

5 Q Thirty days in jail for disorderly
6 conduct.

7 A By whom?

8 Q I am asking do you recall that?

9 A I don't recall that, no. As I say, I
10 did serve a 30-day jail sentence with that Buddy
11 Moore.

12 Q Is that the only time you have been in
13 jail for any length of time?

14 A Uh-huh, that's correct.

15 Q What ended up happening with the
16 charges that were filed against you on October 11,
17 2000, what happened?

18 A What do you mean what happened?

19 Q Did you go to court?

20 A Yes.

21 Q And what happened?

22 A She, Judge Clark, dismissed it, but it
23 was under Criminal Rule 29 and that's not the way she
24 wrote the dismissal. She just dismissed the case and

1 she can't do that because I was acquitted.

2 Q They found you not guilty?

3 A That's right.

4 Q Who did?

5 A Judge Clark.

6 Q Did you go through a trial?

7 A Yes.

8 Q When did the trial begin?

9 A 2001.

10 Q How long did the trial last?

11 A Just one day. That would be Case No.

12 CRB-001246.

13 Q But do you understand there is a
14 difference between being acquitted and between charges
15 being dismissed?

16 A Not when -- not when Criminal Rule 29
17 tells me it is an acquittal. That would be the word
18 that I would be expecting because that's the way it's
19 written, but she just dropped the charges.

20 - - -
21 Discussion held off the record.

22 - - -
23 By Mr. Vincent:

24 Q Sir, have you ever been accused of

1 shooting anyone else's dog?

2 A Oh, yes, definitely.

3 Q Have you ever shot anyone's dog?

4 A No, never. Let me back off on that.

5 One time about 30 years ago a fellow's dog was hit
6 crossing the road and he asked me if I would please
7 shoot it for him, which I did. As far as in Brown
8 County, I've never shot a dog.

9 Q You've been accused of it several
10 times?

11 A I have been accused of it many times.

12 Q You seem to have a problem with a lot
13 of your neighbors.

14 A You don't suppose it might be the
15 neighbors, do you?

16 Q It may be. But I'm wondering -- just
17 so I can understand why you have so many problems with
18 your neighbors, can you tell me do you know why?

19 A No, idea. I have no idea. I have
20 never done anything wrong to those people, and I sure
21 as hell never shot any of their dogs.

22 Q Can you explain why -- you've mentioned
23 you called numerous times on people littering and
24 breaking bottles in your yard. I mean, do you know

1 why they would do that to you?

2 A I have no idea. I never bothered
3 anyone. Mom and I moved up there, we're quiet people.
4 We maintain our place in excellent order. We even
5 have those bastards come down and steal our vegetables
6 out of the garden. Now, that's what some -- that's
7 what they have moved in on us.

8 Q You can't understand why they do these
9 things to you; right?

10 A I have no idea why they're doing it.

11 Q Besides barking dogs and littering, do
12 you recall making other reports to the sheriff's
13 department for things such as noise, radios?

14 A Well, here again, now, the kids on
15 their motorcycles and four wheelers are forever
16 harassing. As a matter of fact, I called just the
17 other day for the sheriff's department to put a stop
18 to it right across the creek from us because I was out
19 trying to rake some leaves up and here these kids are
20 back and forth, back and forth with these noisy bikes.

21 Q Are they on your property?

22 A No. I said across the creek from us.

23 Q I didn't know if you owned the creek as
24 well.

1 A Do not. Do not. The road is closed.
2 So, therefore, it's not supposed to be used for
3 anything. They make it a recreational thing for them.
4 The hell with the noise they're making that bothers
5 me.

6 Q What other kind of complaints?

7 A That's all I can think of right offhand
8 unless you refresh my memory on something again.

9 Q Sir, have you had an opportunity today
10 to tell me all of the ways in which Deputy Snyder,
11 Deputy Meyer, Deputy Hudepohl, and Deputy Gray
12 violated your constitutional rights?

13 A If you are going to let me repeat the
14 amendments that I know of.

15 Q I'm sorry, your first and fourth
16 amendment rights?

17 A Then I have nothing further to say.

18 Q Okay. You've had an opportunity to
19 tell me all of the ways they did; correct?

20 A That's all I can recall of.

21 Q All right.

22 A Just offhand.

23 Q I think we've already made this very
24 clear but I want to make it clear again. So that I

1 don't have to ask you for all of the ways you are
2 claiming monetary damages, I believe that you've told
3 me today under oath that I can rely on the details of
4 your damages that you gave to Judge Weber during the
5 November 3, 2005 hearing; correct?

6 A Best I can recall, yes.

7 Q That way I can avoid asking you a lot
8 of additional questions. I can look at that
9 transcript. Fair?

10 A Fair.

11 Q Sir, since October 11 of 2000 have you
12 been arrested?

13 A I didn't hear everything.

14 Q Have you been arrested since October 11
15 of 2000?

16 A No.

17 Q For any reason?

18 A No. Where did you get that?

19 Q I don't know. I think you gave it to
20 me.

21 A Can I see it?

22 Q No.

23 A Let the record show I did not get a
24 probable cause affidavit that was typed.

1 Q Sir?

2 A I got a chicken scratch.

3 - - -

4 Discussion held off the record.

5 - - -

6 By Mr. Vincent:

7 Q Sir, is there anything else you want to
8 tell me about October 11, 2000 you haven't had an
9 opportunity to already tell me?

10 A Nothing that I can think of at this
11 time.

12 Q All right. Are there any other claims
13 relating to October 11, 2000 that we haven't already
14 talked about that you believe exist?

15 A I believe you've covered it completely.

16 Q All right. If you should remember
17 something else, obviously you are going to have to let
18 me know and I will redepose you on what you recall.

19 What documentation do you have
20 surrounding those events of October 11, 2000, what
21 documents?

22 A Everything that you have.

23 Q Do you have any documents you have not
24 given to me?

1 A I have this right here which would be
2 my discovery.

3 Q Are they discovery requests?

4 A Yes, discovery of Snyder and Meyer.

5 Q We can talk about that off the record.

6 I think we're wrapped up for your deposition here
7 then.

8 A Very good.

10 (Signature not waived.)

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CERTIFICATE

STATE OF OHIO)
) SS:
COUNTY OF MADISON)

I, Denise L. Shoemaker, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within named William D. Reynolds was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the deposition then given by him was by me reduced to stenotype in the presence of said witness, afterward transcribed upon a computer; that the foregoing is a true and correct transcript of the deposition so given by him; that the deposition was taken at the time and place in the caption specified and was completed without adjournment; and that I am in no way related to or employed by any attorney or party hereto, or financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at London, Ohio, on 18th day of February 2006.

Denise L. Shoemaker
Denise L. Shoemaker,
Notary Public-State of Ohio

My Commission Expires: January 26, 2009.